

01-29-01



27123

PATENT TRADEMARK OFFICE

PATENT

IBM Docket No. YOR920000312

M&F Docket No. (1963-5014)

Express Mail Label No. EJ606932514US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL (1.53(b))

COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Named Inventor(s) and Address(es): Sam Dinkin, 11400 Burnett Road, Mail Stop 9460, Austin, Texas 78758;
Stephen J. Boies, 57 Circle Way, Mahopac, New York 10541;
David P. Greene, 36 Overlook Road, Ossining, New York, 10562;
William Grey, 76 Taconic Road, Millwood, New York 10546;
Philip Shi-Lung Yu, 18 Stornowaye, Chappaqua; New York 10514; and
Paul Andrew Moskowitz; 2015 Hunterbrook Road, Yorktown Heights, New York 10598

☐ Additional inventors are listed on a separate sheet

For: SUPPLY OR SERVICE NEED FULFILLMENT METHOD AND SYSTEM

Enclosed are:

☒ 14 page(s) of specification, 1 page(s) of Abstract, 13 page(s) of claims (1-60)

☒ 5 sheets of drawings (FIGS. 1-5) ☒ formal ☐ informal

☒ 4 page(s) of Declaration and Power of Attorney

- ☒ Unsigned
- ☐ Newly Executed
- ☐ Copy from prior application
- ☐ Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)



☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application **HAS NOT** and **WILL NOT** be the subject of an application filed in another country, or under the multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application **NOT** be published under 35 U.S.C. §122(b).

☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))

Signed statement attached deleting inventor(s) named in the prior application serial no. _____, filed _____.

☐ Microfiche Computer Program (Appendix)

☐ _____ page(s) of Sequence Listing

☐ computer readable disk containing Sequence Listing

☐ Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same

☐ Assignment Papers (assignment cover sheet and assignment documents)

☐ A check in the amount of \$40.00 for recording the Assignment.

☐ Assignment papers filed in parent application Serial No. _____.

☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

☐ Priority is claimed under 35 U.S.C. §119 for:
Application No(s). _____, filed _____, in _____(country).

☐ Certified Copy of Priority Document(s) []

☐ filed herewith

☐ filed in application Serial No. _____, filed _____.

☐ English translation document(s) []

☐ filed herewith

☐ filed in application Serial No. _____, filed _____.

☐ Priority is claimed under 35 U.S.C. §119 for:
Provisional Application No. _____, filed _____.

☐ Information Disclosure Statement

☐ Copy of _____ cited references

☐ Copy of PTO-1449 filed in parent application serial No. _____, filed _____.



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☐ Related Case Statement under 37 C.F.R. §1.198(a)(2)(iii)

- ☐ A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.
- ☐ A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s), respectively, is attached hereto.
- ☐ A copy of each related application(s) was submitted in parent application serial no. _____ filed _____.

☐ Preliminary Amendment

☒ Return receipt postcard (MPEP 503)

☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part (C-I-P) of prior application serial no. _____, filed _____, to which priority under 35 U.S.C. §120 is claimed.

- ☐ Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.

☐ The status of the parent application is as follows:

- ☐ A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☐ No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.

☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.

☐ Transfer the drawing(s) from the patent application to this application.

☐ Amend the specification by inserting before the first line the sentence:
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. _____
_____ filed _____.



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I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)

	Number Filed		Number Extra	Rate	Basic Fee
Total Claims	60	-20=	40	x\$18.00	\$710.00
Independent Claims	4	- 3=	1	x\$80.00	\$ 80.00
Multiple Dependent Claims					
	<input type="checkbox"/> yes		Additional Fee =	\$270.00	
	<input checked="" type="checkbox"/> no		Add'l Fee =	NONE	\$0.00

Total: \$1,510.00


- ☐ A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$ _____.
- ☒ A check in the amount of \$1,510.00 in payment of the application filing fees is attached.
- ☐ Charge Fee(s) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 C.F.R. §1.16, **including all extension of time fees pursuant to 37 C.F.R. §1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1963-5014. **A DUPLICATE COPY OF THIS SHEET IS ATTACHED.**

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: January 26, 2001

By:


Mark J. Schildkraut
Registration No. 43,092

CORRESPONDENCE ADDRESS:

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Applicant(s): Samuel Dinkin
Stephen J. Boies
David P. Greene
William Grey
Philip Shi-Lung Yu
Paul A. Moskowitz

Serial No.: To Be Assigned

Filed: Herewith

For: **SUPPLY OR SERVICE NEED FULFILLMENT METHOD AND SYSTEM**

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EJ606932514US

Date of Deposit: January 26, 2001

I hereby certify that the following attached paper(s) and/or fee

1. Utility Application and Application Fee Transmittal (in duplicate); enclosing Specification (14 pages), claims 1-60 (13 pages), abstract (1 page), 5 sheets of drawings (FIGS. 1-5);
2. Check in the amount of \$1,510.00; and
3. Declaration And Power Of Attorney For Patent Application (4 pages unexecuted); and
4. Return postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner Of Patents, BOX PATENT APPLICATION, Washington, D.C. 20231.

F. GARCIA

(Typed or printed name of person
mailing paper(s) and/or fee)

(Signature of person mailing
paper(s) and/or fee)

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